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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/926,293	10/09/2001	Truels Stern Larsen	P67157US0	4934

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EXAMINER

BROWN, MICHAEL A

ART UNIT	PAPER NUMBER
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3764

DATE MAILED: 09/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/926293

Applicant(s)

Trueis Larsen et al

Examiner

Michael Brown

Group Art Unit

3264

--The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address--

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☐ Responsive to communication(s) filed on _____.
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-12 is/are pending in the application.
Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-12 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - ☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
 - ☐ received in Application No. (Series Code/Serial Number) _____.
 - ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 4 ☐ Interview Summary, PTO-413
- ☒ Notice of Reference(s) Cited, PTO-892 ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948 ☐ Other _____

Office Action Summary

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2 and 11-12 are rejected under 35 U.S.C. 102(b) as being anticipated by

Svedman.

Svedman discloses in figure 1 a pressure relieving dressing comprising an absorbent element 10, a substantially non-absorbing pressure distributing element 13, the absorbent element is encircled by the pressure distributing element (fig. 1), the absorbent element is situated at the boarder of the pressure distributing element (fig. 1) and the absorbent element comprises pharmaceutical agent (a healing agent, col. 5, lines 9-11). The surface of the dressing has adhesive properties (blood or other body fluids will cause the dressing to adhere to the body).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Svedman in view of Cesarczyk.

Svedman discloses in figure 1 a pressure relieving dressing, substantially as claimed. However, Svedman does not disclose the absorbent element being made of a hydrophilic foam, the pressure distributing element being made of an elastomer or a top layer. Cesarczyk teaches in figures 7 a pressure relieving dressing comprising an absorbent element 22, made of a hydrophilic foam (polyurethane), a pressure distributing element made of an elastomer (polyurethane) and a top cover 12. It would have been obvious to one having ordinary skill in the art at the time that the invention was made that the absorbent element and the pressure distributing element as disclosed by Svedman could be made of a hydrophilic foam and an elastomer as taught by Cesarczyk. The hydrophilic foam could be used to absorb body fluids. The elastomer is a durable material that would allow the user to apply pressure to the absorbable element. The top cover would prevent germs from touching the wound.

5. Claims 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Svedman in view of Malloui (WO '777).

Svedman discloses in figure 1 a pressure relieving dressing, substantially as claimed. However, Svedman does not disclose the absorbent element extending through or partially through the pressure distributing element or the pressure distributing element having indentations. Malloui teaches in figures 1-3 a pressure relieving dressing comprising an absorbent element 3

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that extends through a pressure distributing element (2, 2). The pressure distributing element has indentations (fig. 3). It would have been obvious to one having ordinary skill in the art at the time that the invention was made that the absorbing element as disclosed by Svedman could extend through or partially through the pressure distributing element as taught by Malloui in order to allow a specific amount of pressure to causing the absorbent element to move into contact with a wound and absorb body fluids. The indents could be used to allow air to pass through the pressure distributing element.

6. Claim 10 rejected under 35 U.S.C. 103(a) as being unpatentable over Svedman in view of Flam.

Svedman discloses in figure 1 a pressure relieving dressing, substantially as claimed. However, Svedman does not disclose the dressing having a pressure indicator. Flam teaches in figure 1 a pressure dressing comprising a pressure indicator (col. 3, lines 3-6). It would have been obvious to one having ordinary skill in the art at the time that the invention was made that the pressure indicator as taught by Flam could be incorporated into the pressure relieving dressing as disclosed by Svedman in order to signal pressure changes in the dressing and over a wound.

Conclusion

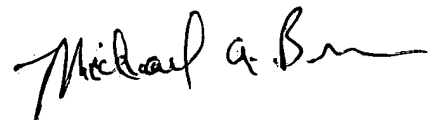
7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Shippert and Daneshvar, each discloses a pressure relieving dressing. Although each

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of these references is pertinent prior art, neither was used to reject any claims, in the first office action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Brown whose telephone number is (703) 308-2682.

M. Brown
September 4, 2003

A handwritten signature in black ink that reads "Michael A. Brown". The signature is written in a cursive, flowing style with a long horizontal line extending from the end.

Michael A. Brown
Primary Examiner